

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRENT AMBERS, et al.,

Plaintiffs,

v.

WELLS FARGO BANK, N.A., et al.,

Defendants.

Case No.15-cv-04100-NC

**ORDER DISMISSING
DEFENDANTS HS FUNDING
GROUP AND CAL WESTERN
RECONVEYANCE CORP.**

Defendants HS Funding Group and Cal Western Reconveyance Corp. have not yet appeared in this action. Brent and Judith Ambers filed suit in state court on March 18, 2015. The Court twice ordered the Ambers to file proof of service of the defendants, and they did not file a proof of service.

“If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specific time.” Fed. R. Civ. P. 4(m). The Court has permitted the Ambers far longer than provided in the Federal Rules of Civil Procedure to serve the defendants.

The Court DENIES the Ambers’ motion for an extension of time, dkt. no. 26, because the motion does not state any cause, let alone good cause, for a further extension.

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1 Now, the Court DISMISSES defendants HS Funding Group and Cal Western
2 Reconveyance Corp. without prejudice.

3 **IT IS SO ORDERED.**

4 Dated: December 7, 2015



NATHANAEL M. COUSINS
United States Magistrate Judge

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Case No. [15-cv-04100-NC](#)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 7, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Brent Ambers
Judith E. Ambers
c/o Aegis Mailing, Facsimile and Copy Services
2287 Washington Avenue
San Leandro, CA 94577-5917

Dated: December 7, 2015

Susan Y. Soong
Clerk, United States District Court

By: 
Lili Harrell, Deputy Clerk to the
Honorable NATHANAEL M. COUSINS